

(3) *Social Security Act* means the Social Security Act (49 Stat. 620 (42 U.S.C. 301 et seq.)), as amended from time to time.

(4) *Department* means the Department of Labor.

(5) *Secretary* means the Secretary of Labor or a person authorized by him to perform his functions under section 421 of the Act.

(6) *State* includes a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

(7) *Workmen's compensation law* means the law or laws of a State providing for payment of compensation by employers to employees (and their dependents or survivors) for injury including occupational disease, or death suffered in connection with the employment.

(8) *State agency* means, with respect to any State, the agency, department, or officer designated by the workmen's compensation law of the State to administer such law. In any case in which more than one agency participates in the administration of a State workmen's compensation law, the Governor may designate which of such agencies shall be the State agency for purposes of this part.

(9) *The Secretary's list* means the list published by the Secretary of Labor in the FEDERAL REGISTER (see § 722.152) containing the names of those States which have in effect a workmen's compensation law which provides adequate coverage for death or total disability due to pneumoconiosis.

(10) *Pneumoconiosis* means coal workers' pneumoconiosis as defined in section 402(b) of the Act.

(b) Masculine gender includes the feminine, and the singular includes the plural.

(c) No definition contained in this part shall be deemed to derogate from the meaning of any term defined in the Act or any term elsewhere defined in this subchapter B with respect thereto.

PROCEDURE FOR DETERMINING WHETHER
A STATE LAW PROVIDES ADEQUATE
COVERAGE FOR PNEUMOCONIOSIS

§ 722.103 Application to the Secretary.

The Governor of any State or any duly authorized State agency may, at any time after the effective date of this revised part 722, request that the Secretary include such State's workmen's compensation law on his list of those State workmen's compensation laws providing adequate coverage for total disability and death due to pneumoconiosis.

§ 722.104 Contents of application, supporting documents.

Each request that a State be included on the Secretary's list shall be in writing and shall be accompanied by the following documents and information:

(a) A copy of the State workmen's compensation law and any other pertinent State laws;

(b) A copy of any regulations either proposed or promulgated in final form with respect to the administration of the State law or laws submitted;

(c) A copy of any administrative or court decision interpreting State laws or regulations so as to bring such laws or regulations in compliance with the standards set forth in this part. If such decisions are published and reported in official or privately published reporter systems or in some other readily available case reporter, it shall be permissible to refer to such decision by its appropriate citation in such case reporter; and

(d) Each request shall be accompanied by a written analysis completed by a duly authorized State official describing by citation, explanation, or with reference to the decisional law of the State, the appropriate provision or provisions of such State's workmen's compensation law which bring it in compliance with each standard prescribed in this part 722.

§ 722.105 Initial action on the request.

Upon receipt by the Secretary of a request that a State be included on the Secretary's list, action shall be taken